

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America  
v.  
Andres Hernandez-Flores  
a/k/a Fredy Danilo Ramirez-Rodriguez

Case No. 2:23-mj-260

\_\_\_\_\_  
*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 18, 2023 in the county of Franklin in the  
Southern District of Ohio, the defendant(s) violated:

*Code Section*  
8 U.S.C. 1326(a)

*Offense Description*  
Illegal reentry of a removed alien

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

JOSEPH P OTTJEPKA Digitally signed by JOSEPH P OTTJEPKA  
Date: 2023.04.18 08:24:14 -04'00'

\_\_\_\_\_  
*Complainant's signature*

Joseph Ottjepka, Deportation Officer

\_\_\_\_\_  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: April 18, 2023

City and state: Columbus, Ohio

*Kimberly A. Johnson*  
\_\_\_\_\_  
Kimberly A. Johnson  
United States Magistrate Judge



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN THE MATTER OF THE  
CRIMINAL COMPLAINT OF:**

**Andres HERNANDEZ-Flores  
a/k/a Fredy Danilo RAMIREZ-Rodriguez**

**Case No. 2:23-mj-260**

**AFFIDAVIT OF JOSEPH P. OTTJEPKA IN  
SUPPORT OF CRIMINAL COMPLAINT**

I, United States Immigration and Customs Enforcement (ICE) Deportation Officer Joseph Ottjepka, being first duly sworn, depose and state as follows:

1. I am a Deportation Officer with more than twenty-one years of experience as an Immigration Agent with United States Immigration and Customs Enforcement (ICE). I am assigned to the Columbus, Ohio Office of Enforcement and Removal Operations. I have investigated both criminal and administrative matters involving aliens in the United States. I have successfully completed the Immigration Officer Basic Training Course at the Federal Law Enforcement Training Center (FLETC) at Glyncro, GA.

2. During the course of investigating Andres HERNANDEZ-Flores, I have learned the following facts:

3. Andres HERNANDEZ-Flores, a/k/a Fredy Danilo RAMIREZ-Rodriguez, is a citizen of El Salvador and is not a citizen of the United States.

4. On or about February 13, 2008, Andres HERNANDEZ-Flores was arrested by ICE officers in Columbus, Ohio. On or about February 22, 2008, an Immigration Judge in Cleveland, Ohio ordered Andres HERNANDEZ-Flores removed from the United States to El Salvador. Andres HERNANDEZ-Flores was charged with violating section 212(a)(6)(A)(I) of the Immigration and Naturalization Act in that he was present in the United States without having been admitted or paroled by an Immigration Officer. On or about May 1, 2008, Andres HERNANDEZ-Flores was removed from the United States to El Salvador pursuant to the Immigration Judge's order.

5. On or about April 23, 2010, Andres HERNANDEZ-Flores was arrested by U.S. Border Patrol agents in Rockport, Texas. On that same day, a reinstatement of the prior order of removal was executed. On or about May 27, 2010, Andres HERNANDEZ-Flores was removed from the United States to El Salvador pursuant to the Immigration Judge's order.

6. According to the El Salvador National Police, Andres HERNANDEZ-Flores (identified as Fredy Danilo Ramirez-Rodriguez) is a documented member of the transnational criminal organization La Mara Salvatrucha (MS-13) in his home country of El Salvador. He is known to fellow gang members as "Eslo" or "Slow."

7. On or about April 18, 2023, ICE officers arrested Andres HERNANDEZ-Flores in Columbus, Ohio. A reinstatement of the prior order of removal was executed. Andres HERNANDEZ-Flores is currently in ICE custody. Biometric and records checks confirmed that Andres HERNANDEZ-Flores was previously ordered removed from the United States and has been previously removed pursuant to that order on two separate occasions. Andres HERNANDEZ-Flores did not receive permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security for this re-entry into the United States.


8. I submit that the above facts establish probable cause for a violation of 8 U.S.C. § 1326(a), in that Andres HERNANDEZ-Flores is an alien who: (1) has been denied admission, excluded, deported, or removed, or has departed the U.S. while an order of exclusion, deportation or removal is outstanding; (2) thereafter entered, attempted to enter, or at any time was found in the U.S.; and (3) did not have consent from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the U.S. prior to either his re-embarkation at a place outside the U.S. or his application for admission from a foreign contiguous territory.

JOSEPH P OTTJEKKA

Digitally signed by JOSEPH P OTTJEKKA  
Date: 2023.04.18 08:18:42 -0400

Joseph Ottjepka  
Deportation Officer  
Immigration and Customs Enforcement

Sworn before me and subscribed in my presence on this \_18\_ day of April 2023.

  
\_\_\_\_\_  
Kimberly A. Johnson  
United States Magistrate Judge

